REMARKS

Claims 38 and 43-44 have been canceled without prejudice and Claims 39 and 45-46 have been amended to more particularly point out and distinctly claim that which the Applicants regard as the invention. Thus, upon entry of the above amendments, Claims 39-42, and 45-46 will be pending. The amended Claims are fully supported in the instant specification, see *e.g.*, on page 8 lines 24-28 and on page 13 lines 5-15. None of the amended Claims introduce new matter.

THE RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following fourteen separate inventions:

I. Claims 1-4, drawn to methods of treating HBV infection by modulating a Src kinase gene with antisense, ribozyme or triplex molecules, classified in class 514, subclass 44.

II. Claims 1 and 5-11, drawn to methods of treating HBV infection by modulating a Src kinase with a Src kinase inhibitor, classified in class 514, subclass 1.

III. Claims 1, 5, and 12-14, drawn to methods of treating HBV infection by modulating a Src kinase with a Src kinase dominant negative mutant, classified in class 514, subclass 2.

IV. Claims 1, 5, 12 and 15, drawn to methods of treating HBV infection by modulating a Src kinase with a phosphotyrosine containing peptide, classified in class 514, subclass 7.

V. Claims 1, and 16-19, drawn to methods of treating HBV infection by modulating HBx with a Ras protein inhibitor, classified in class 514, subclass 789.

VI. Claims 1, 16-18, and 20-21, drawn to methods of treating HBV infection by modulating HBx with a MAP kinase inhibitor, classified in class 514, subclass 789.

VII. Claims 1, 16-18, and 22, drawn to methods of treating HBV infection by modulating HBx with a Myc protein inhibitor, classified in class 514, subclass 789.

VIII. Claims 23 and 24, drawn to a pharmaceutical composition comprising an inhibitor of Src kinase activation, classified in class 514, subclass 789.

IX. Claim 25, drawn to a pharmaceutical composition comprising an HBx inhibitor, classified in class 514, subclass 789.

X. Claims 26-29, drawn to methods of screening for antiviral agents by Src kinase signaling pathway component enzymatic activity assays, classified in class 435, subclass 4.

XI. Claims 30-31, drawn to methods of screening for antiviral agents by detection of HBV viral particles, classified in class 435, subclass 5.

XII. Claims 32-33, drawn to methods of screening for antiviral agents by screening for cell viability in the presence of agents which induce cell death in response to Src kinase activation, classified in class 435, subclass 32.

XIII. Claims 34-35, drawn to yeast cells transformed with a Src kinase gene, classified in class 435, subclass 254.2.

XIV. Claims 36 and 37, drawn to methods of screening for antiviral agents by screening for Src kinase activity of a yeast cell transformed with a Src kinase gene, classified in class 435, subclass 6.

The Examiner contends that the inventions of Groups I - XIV are distinct.

In response, Applicants elect without traverse the invention of Group II, Claims 1 and 5-11 drawn to methods of treating HBV infection by modulating a Src kinase with a Src kinase inhibitor. Applicants assert that Group II encompasses all Src kinase inhibitors; including those that do not directly interact with the Src kinase protein. Claims 1 and 5-11 have been canceled without prejudice and replaced with pending Claims 39-42 ad 45-46. The claims have been amended to reflect the inhibition of HBV replication comprising administering a compound that inhibits upstream activators of the Src kinase cascade. Therefore, Claims 39-42, and 45-46 reflect the subject matter of Group II.

Entry of the foregoing amendments and consideration of the remarks is respectfully requested. The claims are believed to be patentable and free of the art. Early allowance is respectfully requested.

Respectfully submitted,

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Enclosure